

REMARKS

Claims 30-66 are pending. By this Amendment, claims 32-34, 53-62 and 65 are cancelled, claims 30, 35, 51 and 63 are amended and no new claims are added.

Applicants respectfully submit that this Amendment After Final places claims 30-31, 35-52, 63-64 and 66 in condition for allowance and should therefore be entered.

35 U.S.C. § 112

The Office Action rejected claims 53-62 under 35 U.S.C. § 112 as being indefinite. By this amendment claims 53-62 and claim 65 have been cancelled rendering the rejection moot. These claims are cancelled without prejudice disclaimer or waiver of the subject matter of the claims.

35 U.S.C. § 103

The Office Action rejected claims 30, 31-33, 35, 53, 54, 55 and 63 under 35 U.S.C. § 103(a) as being unpatentable over Neeve (U.S. Patent 6,482,199) in view of Some (U.S. Patent 7,359,045) and Webster, which is an article on Laser Beam Machining on pages 234, 235 of the Wiley Encyclopedia of Electrical and Electronics Engineering.

By this Amendment, Applicants have amended independent claim 30 to include the limitations previously recited in dependent claim 34. Applicants have also amended independent claim 63 to include the limitations previously recited in dependent claim 34.

In the Amendment filed August 10, 2010, Applicant amended claim 34 to recite “wherein the modified spectral parameter is a spectral distribution of polarization in the laser pulses.” The Office Action issued October 27, 2010 did not address these limitations amended into claim 34 and instead repeated the rejection made in the prior Office Action indicating that claim 34 was

unpatentable over Neeve in view of Some, Webster and Stuart et al. (U.S. Patent 6,268,586). However, neither Neeve, Some, Webster nor Stuart disclose or suggest the limitations that *the modified spectral parameter is a spectral distribution of polarization in the laser pulses* as now recited in independent claim 30 and in independent claim 63.

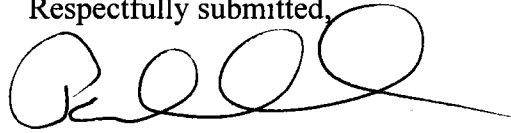
While the publication of Stuart et al., teaches adjusting the polarization of the laser beam with pulses preferably shorter than 10 pico seconds to improve the quality of machining, Stuart et al., is silent as to any spectral dependency of the polarization. Stuart presents no disclosure or suggestion of modification of the spectral distribution and presents no reason that one of ordinary skill would make such a modification. Accordingly, the combination of Stuart with Neeve, Some and Webster does not disclose or suggest all of the limitations of amended claim 30 and amended claim 30 should be patentable. Further, the combination of Neeve, Some, Webster and Stuart does not disclose or suggest all of the limitations of amended independent claim 63. Claims 31, 35-52 and 66 depend from claim 30 and should be patentable for at least the same reasons as claim 30. Claim 64 depends from claim 63 and should be patentable for the same reasons as claim 63.

In view of the foregoing, it is submitted that this application is in condition for allowance. Favorable consideration and prompt allowance of the application are respectfully requested.

Application No. 10/565,582

The Examiner is invited to telephone the undersigned if the Examiner believes it would be useful to advance prosecution.

Respectfully submitted,

A handwritten signature in black ink, consisting of a series of loops and a long horizontal stroke at the end.

Paul C. Onderick
Registration No. 45354

Customer No. 24113
Patterson Thunte Christensen Pedersen, P.A.
4800 IDS Center
80 South 8th Street
Minneapolis, Minnesota 55402-2100
Telephone: 612.349.5766